

Note: §421(a)(6) makes provision for the Agency to "conduct background investigations of applicants for employment with the Agency" (emphasis added).

19. Whether the services listed in §421(a)(8) are sufficient to cover all generic categories of services performed by the Agency "[i] carrying out its functions under this [bill]"

Note: a. § 421(a)(8) as currently written authorizes the Agency to "perform inspection, audit, public affairs, legal and legislative services."

b. Query: What about budgetary and personnel services, for example?

20. Whether provision should be made to authorize the Agency to pay "association and library dues."

Note: a. Provision could be made for the Agency to pay "association and library dues" by inserting words to that effect in §421(a)(16) or a new subsection (18) could be inserted.

b. §8(a)(1) of the CIA Act of 1949, as amended (50 U.S.C.A. 403j(a)(1)) makes provision for the Agency to expend funds for payment of "association and library dues."

21. Whether the Agency should have authority to dispose of property and use the proceeds therefrom to purchase new property.

Note: a. There is no provision in the bill granting this authority.

b. It is suggested that a new subsection §421(a)(18) be drafted. Words to the following effect are suggested:

"Dispose of property and use the proceeds therefrom to purchase new property notwithstanding the provisions of [cite relevant law] when the Director deems such action necessary to the successful performance of the functions of the Agency or to protect the security of Agency activities."

22. Whether the choice of the term "normal" in §421(d)(1) is either appropriate, given the true nature of the cover proprietary, or necessary from a good drafting point of view.

23. Whether the "Agency budget" should be included in §421(g) in the list of items which cannot be disclosed via the mechanism of construing any other provision of law to require such.

24. Whether the authority for employees to carry firearms as described in §421(i) is sufficiently broad to cover all Agency needs in this arena.

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

Attached find a new page 6 to the Title IV (S. 2525, Intelligence Charter Legislation) "Issues Paper," distributed on 23 February 1978.

The new page 6 represents a technical amendment only. Note that in paragraph 21 of the "Issues Paper" subparagraph (d) has been deleted. It was inadvertently included in the 23 February paper.

Your attention is also directed to paragraph 9, page 3 of the "Issues Paper." In line 4 of the alternative language suggested in the note under paragraph 9, the term "intelligence" should be substituted for the term "activities" so that the line would read: "... counterterrorism intelligence by clandestine means including..."

Office of Legislative Counsel

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